REMARKS

The Examiner is thanked for the careful examination of the application. As is clear from the Patent Office website, the Office Action mailed on October 4, 2005 was returned to the U.S. Patent and Trademark Office without being delivered Applicants attorney. Accordingly, a Petition to reset the response deadline to the Office Action is filed concurrently herewith.

Drawings:

The Examiner alleges that element 16 is not described in the specification. In response to that issue, paragraph [0036] has been amended to remove 16 and replace it with reference numeral 18. Accordingly, all reference numerals in the specification are now shown in the drawings.

Specification:

The Examiner has objected to an alleged inconsistency concerning the definition of the buffer memory. In response to that issue, and other issues discussed hereinafter, the specification and claims have been amended so that the buffer is no longer described as a buffer memory but is merely described as a buffer. One of ordinary skill in the art would clearly understand the structure and the function of the buffer 30.

35 U.S.C. §112:

The Examiner has rejected claims 2-5, 9-16, 18, and 20 has allegedly being indefinite. In response to that rejection, those claims have been amended to clarify the invention.

Art Rejection:

Claims 1-6, 8-14, and 6-20 have been rejected under 35 U.S.C. §102(b) as being anticipated by "Nishiyama (U.S. Patent No. 6,894,792)". After studying the file, Applicants assume that the reference applied to the claims is U.S. Patent No. 6,067,168, which is referred to hereinafter as Nishiyama. If this is not correct, clarification is requested.

Nishiyama discloses a system that is best seen in Figure 11. The system includes three digital copying machines 91, 92, 93, which are connected together by interfaces 91a-95a, and transmission lines 96. See column 13, lines 23-29. Figure 11 and column 12, lines 48-54 describe copying machine 91 as "memoryless". However, column 14, lines 43-46, states that each copying machine 91-93 has a memory 73. The specification further indicates that the copying machine 91 does not include a page memory (image memory), but does include a line memory.

Claim 1 defines an imaging forming apparatus incorporating no image memory that includes, among other elements, a key for generating a signal in response to an operation by user, and reception means for receiving the image data stored in the image memory in accordance with the signal. Based on this language in claim 1, the image data in the image memory of the memory incorporating apparatus can be manually requested by a user. In contrast to the apparatus of claim 1, the return of data in the Nishiyama system happens automatically, i.e., the return of data in the Nishiyama apparatus is triggered by a signal generated when the memory 73 is cleared. See column 16, lines 46-52, of Nishiyama. The Office Action alleges that the "correction data retrieval" button illustrated in Fig. 9(b) of Nishiyama corresponds to the claimed key for generating a signal in response to

operation by a user. However, Nishiyama provides little description of the correction data retrieval button, or the simulation screen, in general. Accordingly, it is not clear how the button identified by the Examiner corresponds to the key for generating a signal in response to operation by a user, which is defined in claim 1.

In addition, the Examiner alleges that elements 91a-93a of Nishiyama correspond to the claimed reception means for receiving the image data stored in the image memory in accordance with the signal. Elements 91a-93a relate to the ethernet interfaces disclosed in the copying machines 91-93.

There is no teaching or suggestion in Nishiyama how the interfaces 91a-93a correspond to the correction data retrieval button. Thus, Nishiyama does not teach or suggest an image forming apparatus that includes, among other elements, the claimed key for generating a signal in response to operation by a user, and reception means for receiving the image data stored in the image memory in accordance with the signal.

As such, Nishiyama does not appear to teach such structure that is able to retrieve the image data from the image memory of the memory incorporating apparatus, as can be initiated by an operation of a user as defined in claim 1 of the present application.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claim 1 based on Nishiyama, or else provide further clarification of the rejection.

Claims 2-6 and 8 depend from claim 1, and are thus patentable over Nishiyama at least for the reasons set forth above with respect to claim 1.

Claim 9 defines an imaging forming apparatus that includes, among other elements, a key for generating a signal in response to operation by a user, and reception means for receiving the image data stored in the image memory in accordance with the signal. Accordingly, claim 9 is patentable over Nishiyama at least for the reasons set forth about with respect to claim 1.

Claims 10-14 and 16 depend from claim 9, and are thus over Nishiyama.

Claim 17 defines an image forming method for an image forming apparatus incorporating no image memory that includes, among other elements, generating a signal in response to key operation by a user, and receiving the image data stored in the image memory in accordance with the signal. Accordingly, claim 17 is also patentable over Nishiyama at least for the reasons set forth above with respect to claim 1.

Claim 18 is also a method claim that is allowable over Nishiyama for the same reasons set forth above with respect to claim 17.

Claims 19 and 20 define respective image forming systems and are patentable over Nishiyama at least for the reasons set forth above with respect to claim 1.

Claims 7 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Nishiyama. However, claims 7 and 15 are dependent claims which depend from claims 1 and 9, respectively, and are thus patentable over the prior art at least for the reasons set forth above with respect to claims 1 and 9.

In this rejection, the Examiner takes official notice that it is well known in the art at the time of the invention to remove a key or menu after the option is no longer available. However, in accordance with §2144.03 of the Manual Patent Examining

Procedure, the Examiner is respectfully requested to cite a reference in support of this position or else withdraw the rejection.

In the event that there are any questions concerning this Amendment, or the application in general, the Examiner is respectfully requested to contact the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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